IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRD DAY OF JULY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

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WRIT PETITION No.13339 OF 2006

Between:

M/S.Shapoorji Pallonji & Co., Ltd.,
Chirala, Prakasham District, rep. by
its Manager Regional Accounts,
Sri Biswanath Chakrabotry.

..... PETITIONER

AND

Commercial Tax Officer, Chirala,
And others.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.13339 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

Aggrieved by an order of the 3rd respondent in rejecting the stay application of the petitioner, wherein the petitioner company sought stay of recovery of the sales tax pursuant to a revisionary order of the 2nd respondent, the present writ petition is filed.

The 2nd respondent took up a suo motu revision of an assessment order of the 1st respondent and arrived at the conclusion that the petitioner is liable to pay higher amount of tax than the one determined by the 1st respondent and the difference being the amount of Rs.16,84,941/-.

Heard the learned Government Pleader.

In the circumstances, we are of the opinion that the writ petition can be disposed of at the admission stage itself by directing the respondents not to recover the disputed tax, referred to earlier, on condition that the petitioner deposits 50% of the said amount within a period of six weeks from today. The amount, if any, paid towards the disputed tax, shall be given credit while determining the 50% amount, as ordered by this Court.

With the above direction, the writ petition is disposed of.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

3RD JULY, 2006
PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

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WRIT PETITION No.13339 OF 2006
(Per Sri Justice J.Chelameswar)

3rd JULY, 2006